App. F. IX-4

Previous References.

1954-55 (9TB.)

File No. 5-57-

Serial Nos. 86, 87, 88

Later References.

MYSORE GOVERNMENT SECRETARIAT

Serial Nos. Three.

P.15/E

Part B for November 1954

SUBJECT

Representation of Sri M.V. Nagaraja Rao regarding the Site No. 529 granted to him in Block VIII of Jayanagar Extension

WD 06701—GPB—25,000—11-8-54

To,

The Chairman,
City Improvement Trust Board,
Bangalore.
L.9776/Dated 12.11.54.

Issues certain instructions

Sri. Ramachandrappa
5/11/55

M. G. S. APP. F. III—1]

MYSORE GOVERNMENT SECRETARIAT.

(1)

NOTES.

File No.

FILE HEADING.

3065/52

FROM Sri. M. V. Nagaraja Rao.
Clerk, Administration Branch, M.G.S.

No. Dated 22-7-52 Received

Diary No. —	Enclos.	Spare copies	Serial No.

BRIEF ABSTRACT OF LETTER

Re Regarding rate fixed in respect of site No. 529 in Block VII of Jayanagar allotted to him.

NOTES AND ORDERS.

submitted for perusal. If approved, a report will be called for.
Ms 28/7.
31/7

Yes
528

Memo is putup accordingly
Ms 5/8.
6/8

Issue
528

Issued Memo No. 5892 / 6-8-52

Es—First Sheet

WD 64864—GPB—20,000—22-1-54

Serial No.

Letter No. 2644/54-5 & 25/2/54 from the chairman, Bangalore Trust Board re. Site No. 529 in Block VIII of Jayanagar allotted to Sri. M. V. Nagaraja Rao.

submitted. The measurement of site No. 529 in Block VIII originally and allotted to Sri. Nagaraja Rao was indicated as 30'x50'. The original value of this site was Rs 2/- per sq yd. Sri. Nagaraja Rao paid the full value of the site at this rate ~~on 6-4-9~~ by August 50.

please see his representation dt 22-7-54 (flg R)

Later it was found by the Trust Board authorities that the site measured 40'x50'. The rate for the ~~site~~ site of this dimension in Block VIII of Jayanagar is Rs 4/- per sq yd.

3) Now Sri. Nagaraja Rao is asked to pay at the rate of Rs 4/- per sq yd, having regard to the fact that the site actually measures 40'x50'.

flg R

3) But Sri. Nagaraja Rao represents that the T.B. agreed to allot site No. 529 measuring 30'x50' at Rs 2/- per sq yd ~~and~~ and he paid the full value of the site ~~for this site~~, that the demand by the T.B. is unjust and that the extra area has also been given

Note.—Contn. Sheet

4587 Fixation of value for site

File No. (3) NW. 529 in Block VIII of ~~of 195~~ Jayanagar.

Mysore Government Secretariat

Serial No.

to him at Rs 2/- per sq yd. The chairman of the Board does not agree to this, for reasons stated in his letter of 22-9-54.

4) Sri. Nagaraja Rao paid the full value of the site at the rate of Rs 2/- per sq yd, as notified by the T.B. by August 50. But the T. B. have informed the allottee in September, 1953 that the site measures 40' x 50' and that he has to pay the value of the site at Rs 4/- per sq. yd. ~~They~~ The T. B. have taken three years to find out the exact measurement of the site.

5) The present value of site measuring 30' x 50' is ~~Rs 3/-~~ Rs 3/- per sq yd - this is with effect from December '1952. The extra area may perhaps be allotted to Sri. Nagaraja Rao at Rs 3/- per sq yd. the rate for the original area of 30' x 50' being fixed at Rs 2/- per sq yd - (the rate at which the sites of this dimension were allotted when Sri. Nagaraja Rao paid the full value) for orders.

15/10. 17/10

6) The report of the Chairman, City Improvement Trust Board, may kindly be perused. The allottee Sri M.V.Nagaraja Rao has executed the bond after

WD 04861—GPB—60,000—22-1-54

Fixation of value for site no. 529 in Block VIII of Jayanagar.

Mysore Government Secretariat

File No. 4587/ML. of 195 . (4)

[App. F. III 2

Serial No.

the site measuring 30' x 50' was allotted at Rs.2/- per square yard. This bond or agreement was registered in the office of the Sub-Registrar on 25th June 1953, and the registered document was sent to the Chairman for issuing the possession certificate. After three months, from the date of presentation of the registered agreement, the Chairman intimated him that the site measures 40' x 50' and that he should pay the value at Rs.4/- per square yard, though the request of the Chairman is not justifiable. He may given the site 30' x 50' at Rs.2/- per square yard as per agreement registered and reserve the balance of 10' x 50' without compelling Sri Nagaraja Rao to take it. Compulsion or coersion to pay enhanced rate of Rs.4/- per square yard, for the entire area of 40' x 50' does not seem to be correct, when the Board had agreed to give 30' x 50' at Rs.2/- per square yard and when the party executed an agreement and handed over to the Board.

7) The next question will be disposal of the ten ft. of land. If Sri Nagaraja Rao agrees to take this bit of land it may ordered to be given at Rs.3/- per square yard. If he is not willing to take it, it may be given to his neighbour at Rs 3 per Sq yd

Sec'y (Dev)

28/10

I agree

Fin/Sec'y

26/X

30/10/54

2/11

SECRETARY TO GOVERNMENT 5763 26 1954

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & CO-OPERATIVE 8 No 3383

Note:- Contra Sheet

SECRETARY TO GOVERNMENT 2 NOV 1954 5371

Ref: ⑤ Sri. Nagaraja Rao
3065 — site in Jayanagar
File No. 4587/Rl of 195 (98)

Mysore Government Secretariat

		Serial No.
A draft letter to the Chairman, B.T.B. and a draft endorsement to Sri. Nagaraja Rao are submitted — vide orders overleaf.		
Mahajan 5/4 7/11	Issue. 8/11	
1 — To.		
	The Ch. ... B.T.B.	
	L 9776/B.T.B. 5-54-87 dy 12-11-54	
	Issued. enclosing instructions	
11 — To		
	Sri. M.V. Nagaraja Rao,	
	L 9777/B.T.B. 5-54-88 dy 12-11-54	
	Informed that he may	
5	Contract the Ch. B.T.B.	
Copy to the Ch. B.T.B.		
	L 9778 dy 12-11-54	

B.M.

G

3068 C.F.No. 63]

GOVERNMENT OF MYSORE

Tele gram

No. 2644/2-1

Encls.

OFFICE OF

The Chairman, City Improvement Trust Board, Bangalore.

Date 21st/22nd Sept. 1954.

To

The Secretary to Government,
Local Self Government and Planning Departments,
Bangalore.

Sir,

With reference to your No.Memo L.5872/16-8-54 forwarding the application of Sri M.V. Nagaraja Rao regarding the reduction of rate charged for site No.529, Block VIII, Jayanagar Extension, allotted to him, for report, I write to state that as Government is aware of, the sites at Jayanagar Extension are divided into 5 categories based on the area and price fixed for each category accordingly. If any site does not come under any one of the specified categories, the value of the site is fixed based on the rate applicable to the site to which the site to be priced for is nearer in ~~the~~ area. Further it is the established procedure to allot sites where actual measurements are not known, notifying the measurements of the sites which are approximate of the category to which they belong in the accounts of this Office, subject to the condition of adjusting the value thereof when final measurements are taken.

In the case of allotment of site to Sri M.V. Nagaraja Rao, it was originally allotted to him notifying the measurements of the site as 30' x 50' at the rate, viz., Rs.2/- per Sq.Yd. applicable to that category of sites in VIII Block of Jayanagar Extension. Latevat the time of taking of final measurements it was found that the site measured 40' x 50'. As the final measurements differed from the originally notified measurements a revised demand was sent to the allottee. If fixing the revised demand the principle enuncia ted above, which is not the only one instance in the case of the present allottee, but which is being agreed to by others, was adopted. As the dimensions of the site fell between the two approved categories namely "D" and "E" as detailed below and as it was nearer

P.T.O.

in the area to "D" category the rate applicable to that category of the sites in Block VIII namely Rs.4/- per Sq.Yd. has been changed.

(a) "D" category 40' x 60' or 266 2/3 Sq.Yds.

(b) Site No.529, Block VIII now in question. 40x50' or 222 2/9 Sq.Yds.

(c) 'E' Category ... 30x50' or 166 2/3 Sq.Yds.

Under the above circumstances the contention of the petitioner that the site must be allotted to him at the original rate of Rs.2/- per Sq Yd. in spite of the variation in measurements is not tenable. As already stated above this is not the only instance in which such thing has happened and while other allottees in such circumstances are agreeing and paying the difference in cost, no exception can be made in the case of the present petitioner.

The allottee, may therefore kindly be endorsed, that if he does not want the site, he may ~~have~~ take refund of the value paid by him. The application received is enclosed.

Yours faithfully,

(R. Madhavan)
Chairman.

Ksr.

3065
27 JUL 1954
SECRETARIAT
MUNICIPAL BRANCH.

(3)

SECRETARIAT
23 AUG 1954
L.S.G. DEPARTMENT

To

The Secretary to Government,
L.S.G. and Planning Departments,
BANGALORE.

OFFICE OF THE CITY IMPROVEMENT TRUST BOARD
BANGALORE.

I was allotted in December 1949, a site bearing No.529 measuring 30' x 50' in 8th Block, Jayanagar Extension by the City Improvement Board at Rs.2/- per Square yard and directed to pay its value within 6 months therefrom, deducting the deposit of Rs.45/- paid by me on 23-6-1949.

Accordingly, I paid Rs.39/- on 31-1-1950 and Rs.250/- on 17-8-1950, thus completing the payment of the full value of the site. I had applied for a site at Rs.2/- per Sq.yard in that block, as I was unable to apply for any site in other blocks offered at higher rates, since the construction of houses had not been taken up by the allottees in the absence of even the minimum of facilities in that block, I could not take up the construction work of my house immediately. In June 1953, I executed the necessary agreement registered as 1150/53-54 Vol.1277 on 25-6-53, in the office of the City Sub-Registrar, Bangalore City; and sent it to the Chairman, City Improvement Trust Board for handing over the site to me as I wanted to take up the construction work immediately.

But to my surprise, I received a communication in September 1953, that my site now measures 40' x 50' due to remeasurement, and that I must pay the value of the full site at Rs.4/- per Sq.yard and requesting me to pay the balance before the site is handed to me.

This demand of the Trust Board is very unjust. The Trust Board agreed to allot site No.529 measuring 30' x 50' at Rs.2/- per Sq.yard and I have already paid the full value therefor. If there is any excess area, the same has to be sold to me only at a maximum rate of Rs.2/- and not Rs.4/-. There was no site of 40' x 50' formed in this block when the site was allotted to me. I am prepared to take this extra land at Rs.2/- per sq.yard and not at Rs.4/-

P.T.O.

(4)

As I have paid the full value of the site No.529 as originally allotted to me, I request that the Trust Board may immediately be directed to hadn over to me that site measuring 30' x 50' pending any decision on the excess land added on to this site, as I want to take up the construction immediately after sanction of House Building Advance.

Thanking you.

Yours faithfully,

M. V. Nagaraja Rao
Clerk
Administration Branch
Rayon Giri. Sett. Bangalore.

22/7/54

(5) Re:- Representation of Sri. M. V. Nagaraja Rao re site No. 529, Block VIII of Rajamahal

2 offrs
T offt
2 9776
12-11-54

FTB 5 54 - 87

The Chairman, C.S.T.B, Bangalore

Sir,

With reference to your letter No. 2644/54-5 & 25-9-54 on the above subject, I am directed to state that the allottee Sri. M. V. Nagaraja Rao ~~has~~ was allotted the site in 1949 and he paid the full value of the site which was then reported to measure 30'x50', in ~~Sept~~ August, 1950, at Rs 2/- per sq yd, as per the rate existing then. ~~He~~

He executed the bond after the site measuring 30'x50' was allotted at Rs 2/- per sq yd. This bond or agreement was registered in the office of the Sub-Registrar on 25/6/53 and the ~~the~~ registered document was sent to the T.B. office for issuing the possession certificate. After three months, from the date of presentation of the agreement, he ~~has been~~ intimated from the T.B. office that the site measures 40'x50' and that he should pay the value at Rs 4/- per sq. yd. The demand made is not justifiable.

In these circumstances, he may be given the site 30'x50' at Rs 2/- per sq yd as per agreement registered and reserve the balance of 10'x50' without compelling Sri. Nagaraja Rao to take it.

Compulsion or coercion to pay enhanced rate of Rs 4/- per sq yd does not seem to be correct; when the Bond

had agreed to give 30'x50' at Rs 2/- per sq yd and when the party executes an agreement and handed over to the T.B. of Sri. Nagaraja Rao agrees to take this bit of land (10'x50'), it may be given to him at Rs 3/- per sq yd and if he is not willing, it may be given to his neighbour at Rs 3/- per sq yd.

Executive Officer

(7)

L 9556/STB 5-54-8) 12-11-54 ~~STB 5-54-8~~

The Chairman,
City Improvement Trust Board,
Bangalore.

Subject: Representation of Sri M.V.Nagaraja Rao
re: site No.529, Block VIII of Jayanagar.

With reference to your letter No.2644/54-55 dated 25th September 1954 on the above subject, I am directed to state that the alottee Sri M.V.Nagaraja Rao was allotted the site in 1949 and he paid the full value of the site which was then reported to measure 30' x 50', in August 1950 at Rs.2/- per square yard, as per the rate existing then.

He executed the bond after the site measuring 30' x 50' was allotted at Rs.2/- per square yard. This bond or agreement was registered in the office of the Sub-Registrar on 25-6-53 and the registered document was sent to the Trust Board office for issuing the possession certificate. After three months, from the date of presentation of the agreement, he was intimated from the Trust Boarddoffice that the site measures 40' x 50' and that he should pay the value at Rs.4/- per square yard. The demend made is not justifiable.

In these circumstances, he may be given the site 30' x 50' at Rs.2/- per square yard as per agreement registered and reserve the balance of 10' x 50' without compelling Sri Nagaraja Rao to take it. Compulsion or coersion to pay enhanced rate of Rs.4/- per square yard does not seem to be correct, when the Board had

agreed to give 30' x 50' at Rs.2/- per square yard and when the party executed an agreement and handed over to the Trust Board. If Sri Nagaraja Rao agrees to take this bit of land (10ftx 50ft) it may be given to him at Rs.3/- per square yard and if he is not willing, it may be given to his neighbour at Rs.3/- per square yard.

Yours faithfully,

(V.Hanumanthappa)
Asst. Secretary to Government,
L.S.G. & Planning Departments.

knr-2/9.11

(9)

II Diff-

3 copies

L 9999

12-11-52

sub:- Allotment of site No. 529 in block VIII of the Jayanagar extension.

HB. SV. 524-88

Endorsement granted to Sri. M. V. Nagaraja Rao. ~~Typist Clerk~~ Clerk, Administrative Branch, M. E. S.

With reference to his petition of 22-7-52 on the above subject, Sri. Nagaraja Rao is informed that orders have been issued to allot him the site measuring 30'x50' at Rs 2/- per sq yard and to allot the remaining area of 10'x50' [per sq. yard] ~~at Rs 3/- at Rs~~ if he is willing to take this bit of land. He may contact the Chairman, C.E.T.B, Bangalore, for further particulars in the matter.

Sd/-
Asstt Secy

L 9998/12-11-52

Copy to the Chairman, C.E.T.B, Bangalore for information.

Sd/-
Asst Secy

9/11

GOVERNMENT OF MYSORE.

(10)

No. 9228/1785-54-88

Mysore Government
~~General and Revenue~~ Secretariat,
(Municipal Branch)
Dated Bangalore, 12.11.1954

ENDORSEMENT.

To

Sri M.V.Nagaraja Rao,
Clerk, Administration Branch,
Mysore Government Secretariat,
B A N G A L O R E.

Subject: Allotment of site No.529 in Block VIII of the Jayanagar Extension.

With reference to his petition dated 22nd July 1954, on the above subject, Sri Nagaraja Rao is informed that orders have been issued to allot him the site measuring 30' x 50' at Rs.2/- per square yard and to allot the remaining area of 10' x 50' at Rs.3/- per square yard, if he is willing to take this bit of land. He may contact the Chairman, City Improvement Trust Board, Bangalore, for further particulars in the matter.

SD/(V.Hanumanthappa)
Asst. Secretary to Government,
L.S.G. & Planning Departments.

Memo No.L. 9228/12-11-54

Copy of the above is forwarded to the Chairman, City Improvement Trust Board, Bangalore, for information.

11/11

(V.Hanumanthappa)
Asst. Secretary to Government,
L.S.G. & Planning Departments.

knr-3/9.11